

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:04-CR-17

v.

HON. JANET T. NEFF

CHARLES JAMES DOUGAN,

Defendant.

_____ /

MEMORANDUM OPINION AND ORDER

Defendant Charles James Dougan has filed a motion for modification or reduction of sentence (Dkt 58) pursuant to 18 U.S.C. §3582(c)(2) based on the modification of the Drug Quantity Table with respect to cocaine base (crack cocaine).

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 750 of the United States Sentencing Guidelines modified U.S.S.G. § 2D1.1, the Drug Quantity Table with regard to cocaine base (crack cocaine), and U.S.S.G. § 2D2.1(b). These modifications were made retroactive effective November 1, 2011. U.S.S.G. § 1B1.10(c).

The defendant is entitled to a reduction of sentence consistent with the policy statements. Therefore, IT IS HEREBY ORDERED that Defendant's motion for modification of sentence (Dkt 58) pursuant to 18 U.S.C. § 3582(c)(2) is GRANTED. Defendant's sentence is reduced from 121 months to 108 months. This sentence will enable Defendant to adequately prepare himself for successful re-entry into the community.

IT IS FURTHER ORDERED that Defendant spend 90 days at a reentry placement center at the beginning of his supervised release term.

IT IS FURTHER ORDERED that defendant's request for reduction of his term of supervised release is DENIED.

DATED: April 17, 2012

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge